

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	DATE FILED: _____
v.	:	CRIMINAL NO. _____
WAKEEM CHESNEY STANLEY STEWART a/k/a "Stanley Downs"	:	VIOLETIONS: 18 U.S.C. § 1951(a) (Conspiracy to interfere with interstate commerce by robbery - 1 count) 18 U.S.C. § 1951(a) (Interference with interstate commerce by robbery -1 count) 18 U.S.C. § 924(c)(1) (Use of a firearm during a crime of violence - 1 count) 18 U.S.C. § 922(g)(1) (Possession of a firearm by a convicted felon - 2 counts) 18 U.S.C. § 2 (Aiding and abetting) Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, the Footlocker shoe store ("Footlocker") located at 1510 Chestnut Street, Philadelphia, Pennsylvania, was a business engaged in interstate commerce.

THE CONSPIRACY

2. On or about November 22, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendants

WAKEEM CHESNEY and  
STANLEY STEWART,  
a/k/a "Stanley Downs,"

conspired and agreed together to obstruct, delay and affect commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants conspired to unlawfully take and obtain currency and property from Footlocker, a business engaged in interstate commerce, in the presence of employees of that business, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property in their custody and control, in violation of Title 18, United States Code, Sections 1951(a), 1951(b)(1) and 1951(b)(3).

#### MANNER AND MEANS

3. It was part of the conspiracy to rob Footlocker, and to obtain the cash proceeds and property from the business, at gunpoint and by threatening to use force and violence against the store employees.

#### OVERT ACTS

In furtherance of the conspiracy and to effect the object of the conspiracy, the following overt acts, among others, were committed on or about November 22, 2003, in Philadelphia, in the Eastern District of Pennsylvania:

1. Defendants WAKEEM CHESNEY and STANLEY STEWART traveled together to the Footlocker, 1510 Chestnut Street, Philadelphia, armed with firearms.

2. Defendants WAKEEM CHESNEY and STANLEY STEWART entered the Footlocker together carrying concealed firearms and pretended to be customers of the store for a short period of time.

3. Defendant WAKEEM CHESNEY brandished a handgun, menaced the store employees, pistol whipped the store manager, and looted the safe and cash register.



COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3, and Overt Acts 1 through 7 of Count One are incorporated here.

2. On or about November 22, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendants

WAKEEM CHESNEY and  
STANLEY STEWART,  
a/k/a "Stanley Downs,"

aided and abetted, and unlawfully obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained personal property, that is, approximately \$7,663 United States currency, belonging to the Footlocker shoe store, from employees, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property in their custody and control.

In violation of Title 18, United States Code, Sections 1951(a), and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 22, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendants

WAKEEM CHESNEY, and  
STANLEY STEWART,  
a/k/a “Stanley Downs,”

knowingly used and carried, and aided and abetted the use and carrying of, a firearm, that is, a .45 caliber Taurus semiautomatic handgun, Model PT 45, serial number NIU 87530, loaded with nine live rounds of ammunition, and a .380 caliber Bryco Jennings semiautomatic handgun, Model T380-CA, serial number 1467958, loaded with six live rounds of ammunition, during and in relation to a crime of violence for which the defendants may be prosecuted in a Court of the United States, that is, conspiracy to interfere with interstate commerce by robbery and the interference with interstate commerce by robbery, of the Footlocker shoe store, in violation of Title 18, United States Code, Section 1951(a), as charged in this indictment.

In violation of Title 18, United States Code, Sections 924(c)(1), and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 22, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendants

WAKEEM CHESNEY and  
STANLEY STEWART,  
a/k/a "Stanley Downs,"

having each been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, and aided and abetted the possession of, in and affecting interstate and foreign commerce, a firearm, that is, a .45 caliber Taurus semiautomatic handgun, Model PT 45, serial number NIU 87530, loaded with nine live rounds of ammunition.

In violation of Title 18, United States Code, Sections 922(g)(1), and 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 22, 2003, at Philadelphia, in the Eastern District of  
Pennsylvania, defendants

WAKEEM CHESNEY and  
STANLEY STEWART,  
a/k/a “Stanley Downs,”

having each been convicted in a court of the Commonwealth of Pennsylvania of a crime  
punishable by imprisonment for a term exceeding one year, knowingly possessed, and aided and  
abetted the possession of, in and affecting interstate and foreign commerce, a firearm, that is, a  
.380 caliber Bryco Jennings semiautomatic handgun, Model T380-CA, serial number 1467958,  
loaded with six live rounds of ammunition

In violation of Title 18, United States Code, Sections 922(g)(1), and 2.

NOTICE OF FORFEITURE

As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(1), set forth in this indictment, defendants

WAKEEM CHESNEY and  
STANLEY STEWART,  
a/k/a “Stanley Downs,”

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), the firearms and ammunition involved in the commission of these offenses, including, but not limited to:

- (1) a .45 caliber Taurus semiautomatic handgun, Model PT 45, serial number NIU 87530, loaded with nine live rounds of ammunition; and
- (2) a .380 caliber Bryco Jennings semiautomatic handgun, Model T380-CA, serial number 1467958, loaded with six live rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

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GRAND JURY FOREPERSON

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PATRICK L. MEEHAN  
United States Attorney